# XVI. NEW

# QVÆRES

Propoſed to our Lord

## PRÆLATES.



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FROM—
DAVID H. McALPIN.

that the said John Martin

1637
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# To our Holy Ghoſtly Fathers, the Lord Prælates of England M. E. ſendeth greeting.

MY Lords temporall farre more then ſpirituall, I have heard you oft cracke exceedingly, on your owne dunghills, both of your great learning, and likewiſe of your arch-love and loyaltie (yet inviſible) to his Majeſtie and his prerogatives Royall, as if hee could not be a King unleſſe you were Lord Biſhops: I ſhall therefore not challendge, but beſeech your Holynes, to give a reall demonſtration to the world, both of your profound learning, and pretended peerleſſe Zeale and duetifullnes to his Majeſtie, in publiſhing a ſpeedyfull, and ſatisfactory anſwer to theſe fewe Queſtions here propounded to you of purpoſe to reſolve them. Your Lordlyneſſes have had above halfe a yeares time (allmoſt half as much ſpace as moſt of you take to penn or conne your annuall or bieniall Sermons, and yet cannot get them perfect into your heads or hearts, into which they ſeldome ſinke, but onely into your Bookes:) and yet have given no reſolution to them, as people exſpected you ſhould or would have done: which makes many ſuſpect, they have put you to a Non plus; either therefore anſwer them now, at this ſecond Somony and publication, or els I and thouſands more ſhall proclaime to all the world, you cannot doe it, and ſo are open enemies to his Majeſtie, his Imperiall Crowne, Lawes, Subjects, and in ſeverall premunires, for all you beare your heads ſo high, like petty Kings and Popes: Yea I dare pronounce you perjured to his Majeſtie in the higheſt degree, by infringing your oathes of Supremacie, ſo oft reiterated: And as you are the firſt men inioyned to take this oath, by the Statute of 1. Eliz. c. 1. becauſe the likelyeſt of all others to violate it, ſo you are more guilty of the frequent, open, and profeſſed violation thereof, then all other his

*Majesties subjects put together, who seldome infringe this oath, but either by your coaction or occasioning of them, by force or flatery to breake it, be sure you now give a fatherly satisfactory compleat answer to them with speed, at your utmost perills, and lay all other worldly imployments and affaires aside (as you have layed preaching by, long agoe) till you have done it, els these Quæres will proove fatall to your Popedomes, Episcopalities, Consistories, Visitations, and elegall Ecclesiasticall Iurisdictions, and proceedings, and so I commit you to your studies for the present, as you (no doubt in imitation of your Saviour Christ and his Apostles, who had not any Pursevaunts, Iaylors, Messengers, and Catch-poales, attending at their heeles upon every occasion, and many Jaoles and Prisons, to commit poore Christians and Ministers too at their pleasure, as your Lordships their Successors now have, though wee read not of them in any Author) commit others to your prisons and dungeons, and would doe me no doubt, if you could catch me napping, as Mose did his Mare, even for presuming to propound these questions to you in the behalf of my Soveraigne and Countrey.*

*M. E.*

16. New.

# 16. New Quæres propoſed to our Lord Prælates.

1.

QUO IURE: Can our Arch-Biſhops, Biſhops, and their Officialls graunt Lycenſes, for money, to any of his Majeſties Subjects to marry without aſking Banes, it being directly contrary to the Statutes of 2. & 3. Ed. 6. c. 21. 5. & 6. Ed. 6. c. 12. And to the *Rubricke before the forme of ſolemnization of Matrimony* in the Common-prayer booke, confirmed by Parliament, 1. Eliz. c. 2. which preſcribes thus: *Firſt that the Banes muſt be aſked three ſeverall Sundayes or Holy-dayes in the time of ſervice, the people being preſent, after the accuſtomed manner; and if the perſons that ſhould be marryed dwell in divers Pariſhes, the Banes muſt be aſked in both Pariſhes, and the Curate of the one Pariſh ſhall not ſolemnize Matrimony, betweene them, without a Certificate of the Banes being thrice aſked from the Curate of the other Pariſh.*

Whether if Marriage be a Sacrament (as the Papiſts hold, who yet deny it, as an unholy thing, to all their holy Cleargie-men, and religious perſons, a ſtrange contradiction) or an Eccleſiaſticall thing, as our Prælates deeme it (though common to pagans, and ſome kind of fowles and beaſts, and ſo truely civill and naturall, rather then Eccleſiaſticall, if it be not * *Symony in them to ſell Licenſes, and take money for Marriages, and whether his Majeſtie, who can onely diſpence with Lawes, and this Rubricke in the Common-prayer Booke*, it being a chiefe branch of his Prerogative Royall) may not juſtly call all our Prælates, and their Officers to an account for all the money taken for ſuch Licenſes (*and alſo for Ly-*

* *See Summa Angelica & Summa Roſella tit. Simonia.*

*censes to marry in prohibited times*, as they terme them, as meere oppressions and device to get money, there being no Law of the Realme nor Canon of our Church, prohibiting marriages in those or any other seasons whatsoever, which are alwayes free and lawfull for marriages, as wel as for Christnings and Burialls &c.) from 21. Iacob. till now (which money amounts at least to 40000. p. or more) they having no right or title to it by any Law or Patent extant?

II.

By what Law can our Prælates (as now they begin to doe) consecrate Churches, Chapples, or Church-yards, as if they were unholy and common places before, unfit to be prayed in: contrary to Acts 10.14. 15. 1. Tim. 2.8. Iohn 4. 20. to 25. contrary to the practise of Christ and his Apostles, who consecrated no Churches or Church-yards, and gave no such commission to Bishops or any others to doe it, but met together in private houses, and unconsecrated places to receive the Sacraments and preach Gods word, Acts 2.46. c.5.42. c.20.7.8.9.c.18. 7.11. c.19.9.10. c.28.30.31. Rom. 16.5. 1. Cor. 16.19. Col. 4.15. Philem. 2. Marke 14.12. to 27. Luke 22.16. to 24. contrary to the practise of the primitive Christians for *above* 300. *yeares after Christ (as the third part of the Homilie against the perill of Idolatry p. 66.67. resolves.)* Contrary to the Statute of 15. R. 2. c. 5. which adjudgeth it *Mortmaine, and contrary to the Statute* of 3. and 4. Ed. 6. c. 10. 1. Eliz. c. 2. 8. Eliz. c. 1. *which aboliſheth and inhibites all other Rites, Ceremonies and formes of conſecration (with all Popiſh Ceremonies and Pontificalls, wherein the manner of conſecrating Churches, Chappells, and Church-yards is preſcribed)* but such as are onely preſcribed in the Bookes of Common-prayer and ordination, in which there is not one syllable of consecrating Churches, Chappells, or Church-yards, or any one Statute of the Realme, or Canon of our Church since the beginning of Reformation preſcribing or allowing it.

If they say, *that the Temple at Ieruſalem was dedicated, and that the Tabernacle and Altar among the Iewes was alſo conſecrated*: Ergo our *2. Chron. 6 & c. 7. 7. Churches, Chappells and Church-yards must be consecrated by their Lordships.

I answer.

†Exod. 30: 22. &c. & c. 40. First, *That the* * *Temple was consecrated by Salomon: and the* † *Tabernacle and Altar by Moſes, the one a King, the other a temporall Magiſtrate,*

*giſtrate, (who conſecrated Aaron alſo and his ſonnes, and ordained them Prieſtes)* neither of them a Biſhop or High-Prieſt, therefore if any ſuch conſecrations are to be made, the King and temporall Magiſtrats ought to make them, not their Lordſhips, as Hoſpinian prooves at large, *de Origine Obedirationum c.1. fol.104.* where hee concluds thus: *Hæc autem authoritas antiquitus ſemper fuit Politici Magiſtratus:* and that as well among the Pagans as Chriſtians.

Secondly, They had a commaund from God for the one; but their Lordſhips have none for the other.

Thirdly, *Theſe Conſecrations and purifyings were part of the Ceremoniall Law, and ſo quite abolished by Chriſt*, Acts 10.14.15. Iohn 4.20. to 26. 1.Tim. 2.8. Col.2.13. to the end. Heb.8. and 9. therefore not now to be uſed.

Fourthly, The Temple, Tabernacle and Iewiſh Altars were conſecrated and hallowed, *becauſe Types of Chriſt*, of which our Churches, Chappells and Church-yards are no Types.

Fifthly, The Iewes never conſecrated their Synagogues (in which they had no Altars) nor yet their Burying-places, in lieu of which our Churches and Church-yards ſucceed: Therefore if their Lordſhips will imitate them, they muſt not conſecrate Churches, Chapples or Altars, nor yet have any Altars in our Churches, much leſſe take 20. 30. or 40.p. for conſecrating them, as ſome of them have done, it being * *Simony in the higheſt degree, and nothing due by the Canon Law but a dinner.*

* *Summa Angelica & Roſella tit. Simonia & conſecratio Eccleſiæ.*

## III.

By what Law of the Land can our Biſhops, Arch-Deacons and their viſitors in their viſitations take *money for procurations* of thoſe Churches which they viſite not in perſone, or more money for procurations, then will defray their dyet and horſe-meat, *there being no* ‡ *more due by their owne Canon Law, and that onely for the Churches they perſonally viſite:* Or by what Law or Canon can they take money of Miniſters or Scholemaſters for ſhewing their letters of order, or lycenſes to preach, or teach ſchoole; or of Church-wardens and others for preſentments. There being not one * penny due by Law or Canon to them, much leſſe by Patent or graunt from the King? And whether may not his Majeſtie lawfully call all our Arch-Biſhops, Biſhops, Arch-Deacons,

‡ *Lindwode de Cenſibus & procurationibus, where all this is reſolved.*

* *Lindwode ibid. & 23. Eli. c. 1.*

and

and their visitors to an account for all the money and extorted Fees, thus taken by them in their visitations, and likewise in their Consistories, for probate of wills and Letters of administrations, where they take twice, thrice, yea 4. or 5. times as much as the Statute of 21. H.8. c.5. allowes them, (which is but 5.s. at the highest, where the goods amount to 40.p. or vpwards) and punish them all in Starre-Chamber for extortion (as hee hath lately done many Officers in his temporall Courts, since these their execrable extortions, taken duering his Highnes raygne, will amount at least to 100000.p. as much as the Cleargie gave to King Henry the 8. to exempt themselves from that premunire they had incurred by submitting themselves to Cardinall Woollseyds power legatine.

IV.

*Quo Iure:* Can any D^r. of the civill Law, or other Chancelor, Vicar generall, Officiall or Commissarie to any Prelate or Arch-Deacon, exercise any Ecclesiasticall Iurisdiction vnder them, without speciall lycense and Patent from his Majestie or his predecessors Royall, it being directly contrary to the expres Statute of 37.H.8. c.17. which ordaines, *that the Kings Majestie, his Heires and Successors shall ordaine, constitute, and depute all Bishops and Arch-Deacons, Chauncellors, Vicars generall, Commissaries, Officialls, Scribes and Registers* (or els it gives them no power to execute any Ecclesiasticall Iurisdiction) *and that by speciall letters Patents*, (as appeares by 1.Eliz. c.1. and 8. Eliz. c.1.) which Patents they all now wanting, cannot exercise any such Iurisdiction, and so all their proceedings are meerely voyd, and their places in his Majesties disposall, to whom they ought to be accountable for all the proffits they have already unjustly received in these their usurped offices.

V.

Whether is it not now meete and convenient for his Majestie to appoint one of his Nobles, or some other learned Layman, to be his *Vice-gerent generall for good and due ministration of Iustice to be had in all causes and cases, touching the Ecclesiasticall Iurisdiction, and for the godly Reformation, and redresse of all errors, heresies and abuses in our Church, to take place of and sit above the Arch-Bishop of Canterbury, and all other*

Lords

*Lord Biſhops in all places*; according to the Statute of 31.H.8.c.10. yet in full force; to bridle the pride, curbe the inſolencies, redreſſe the uſurpations, Extravagances, Innovations, and take away the pretended *Ius Divinum*, of our Lordly Prelates, directly repugnant to this Act, and to 26.H.8.c.1. 28.H.8.c.10. 31.H.8.c.9. 31.H.8.c.31. 34. and 35.H.8.c.17. 35.H.8.c.1. 37.H.8.c.17. 1.Ed.6.c.2. 1.Eliz.c.1. 8.Eliz. c.1. On which I would deſire their Lordſhips to chew the cudd, to abate their favour.

## VI.

By the Statute of 37.H.8.c.6. *Every perſon or perſons that ſhall cut out, or maliciouſly cauſe to be cut out the tongue of any perſon, or ſhall maliciouſly cut off, or cauſe to be cut of the eare or eares of any his Majeſties Subjects, is to render trible damages to the partie, and ſo forfeite* 10.*p. ſterling for every ſuch an offence to the Kings Majeſty and his Heires: And* 5.*H.*4.*c.* 5. *makes it felony for any man maliciouſly to cut off any mans tongue, or put out his eye.* Whether then our Lord Prelates and their Officers for cutting out our faithfull Miniſters tongues, and cloſing up their mouthes that they may not preach Gods word to their people, and cutting of ſome Laymens eares, and threatning to have the eares of more, that they may not heare Gods word, (and that *maliciouſly* againſt the Lawes and Statutes of the Realme) are not fellons within the latter of theſe two Acts, and Malefactors in the firſt, to render *treble damages to the parties greeved, and maymed by them*, and to make a fine to his Majeſtie, is a queſtion worthy reſolution.

* 28. *Aſſ.* 19. 40. *Aſſ.*40.43. *Aſſ.*30. *Stamford. l.*2. *c.*60.

## VII.

Whether theſe Lordly Prelates that have ſtood mute for one, two, or three yeares ſpace and more, and never preached, nor given anſwer to theſe *Quares*; refuſing to put themſelves to the tryall of God and their Countrey, for their Epiſcopall pretended *Ius Divinum*, and other their fore-mentioned uſurpations and exactions upon his Majeſtie and his Subjects, are not by the * *Common Law* of the Land, to be preſſed for *Mutes*, as other malefactors that ſtand mute and ſilent, are in like caſes.

*Fitz. Ca.* 27.30.36. 51.53.56. 58.71.72. 191.218. 225. 233. 283. 359. *Br.Pa.*1.2. 4.5.8.9. 12.13.14. 15.19.

VIII.

Whether if the Apoſtles were now in England, and ſhould preach *Jeſus Chriſt dayly in our Temples and from houſe to houſe, without ceaſing, as they did Acts* 5,42. our Lord Prelates would not preſently ſilence, ſuſpend, and purſevant them into the high Commiſſion, and there fine and impriſon them for Convinticleers: And if they ſhould preach notwithſtanding their Lordſhips inhibitions, *(as they did notwithſtanding the chiefe Prieſts commaund to doe it,) whether their Lordſhips would not thereupon be filed with indignation, and put them in the Common-priſon*, and there keepe them *faſt, and beat them too*, as their *predeceſſors the High Prieſts did, Acts* 5.17.18.40.41. ſince they thus ſerve our Godly faithfull Miniſters for the ſame cauſes.

IX.

Whether if our Saviour Chriſt himſelf were now on earth, and ſhould be convented before our High Prieſts, as hee was once before the Iewes High Prieſt, and they ſhould offer to put him to an *Ex officio oath*, and examine him concerning his Diſciples and Doctrine; and Chriſt ſhould refuſe to take ſuch an oath, and anſwer them as hee did the High Prieſt: *(I ſpake openly to the world, I ever taught in the Synagogue, and in the Temple, whether the Iewes and people always reſort, and in ſecreet have I ſayd nothing. Why aſkeſt thou mee? Aſke them that heare me, what I ſayd unto them: Behold they know what I ſayd:)* refuſing to bring in a coppie of his Sermons, or to accuſe himſelf, would not their Lordſhips Purſevants Officers upon ſuch an anſwer as this ſtricke Ieſus with the palme of their hands, (as the High Prieſts Officer did) *Saying: Anſwereſt thou the High Prieſt* (our Lord Arch-Biſhop and Biſhops) *ſo?* Iohn 18. 19.20.21.22. And would not their Lordſhips for ſuch an anſwer (which ſatisfied the High Prieſt) commit our Saviour forthwith to priſon, to the Clinke, the *Gate-houſe, Fleete, Newpriſon, Kings Bench or Counter*, as they committed * *Mr. Bambridg* and *Mr. Johnſon of old*, and many of Chriſts Miniſters ſince, for the ſame anſwer.

* Petition to Q. Eliz. p. 77.

X.

Whether if S^t. Paul were now alive, and ſhould preach ſo diligently in England, as he did amongſt the Iewes, our High Prieſts, the Prelates, would not lay the ſelfſame accuſation againſt him before the Kings Majeſtie,

Majeſtie, as *Ananias* (the Iewes High Prieſt) *did by Tertullus his Orator before Felix*, and informe his Majeſtie, *that they had found this man a peſtilent fellow, and a mover of ſedition among all the Iewes (now Engliſh men) throughout the world, or Kingdome, and a Ringleader of the ſect of the Nazarens* (the Puritanes as they terme them, Acts 24. 5.) ſince they lay the ſelfſame accuſations to the chardge of moſt Godly Miniſters, as many late inſtances evidence.

## XI.

Whether if *Chriſt himſelf ſhould preach* * *dayly* in ſome of our Prelates Diocœſe, as he did in *the Temple & Jewiſh Synagogues, and* S^t. *Paul* † *preach night and day* (morning and evening) *in our Churches, as he did at Epheſus*, againſt our Prelates inhibitions, and the people flocke from all parts and Pariſhes to heare them, as they did to them; our Prelates would not forthwith ſuſpend them from preaching, and clapp them by the heeles, and likewiſe preſent and puniſh all their hearers, for goeing out of their owne Pariſhes, where they had no ſermons, to heare them, ſince they thus uſe our painefulleſt Preachers and hearers, who imitate their examples, contrary to the very doctrine of our Homilies of the right of the Church, p. 3. 4. which themſelves have ſubſcribed too, but refuſe to practiſe?

* *Luke* 19. 47. c. 20. 1.
† *Acts* 20. 20. 21. 31. c. 19. 9. c. 21. 37. 38. c. 22. 3.

## XII.

Whether if our Saviour ſhould now deſcend in perſon from heaven, and give his precept to our Lord Prelates, which once he gave to his Apoſtles Luke 22. 25. 26. Mat. 20. 25. 26. 27. yee know *that the Princes of the Gentiles exerciſe dominion over them, and they that are great exerciſe authority upon them: But it ſhall not be ſo among you, but whoſoever will be great among you, let him be your Miniſter, and whoſoever will be chiefe among you, let him be your ſervant, &c.* they would preſently convent and arraigne him for it, as an open oppugner of their Lordly Iuriſdiction and temporall Offices and power, and cenſure him as ſeverely as ever they did D^r. *Baſtwick*, or any other, that hath writt againſt their pretended Divine right to their Lordly Hierarchie?

## XIII.

Whether theſe ſeverall actions and writs at Common Law (mentioned in the Regiſter) will not lye againſt the Prelates? Namely; The write intituled *Ad Iura Regia*, for violating the Kings Lawes and prerogative Royall, by their owne extravagant Lawes, Articles, Decretalls, and Canons, to reduce them to the Kings Lawes, in *Ad quod dannum*, to inquire, what great dammages they have done to his Majeſties Subjects ſoules, bodies, eſtats, and to informe his Majeſtie what Nuſances they are: *An Apoſtata capiendo*: to impriſon them, for their Apoſtatie, from the doctrines and faith of the Church of England, to the faith and Ceremonies of the Church of Rome, and caſting off their ſpirituall cares and functions, to follow temporall affaires and manage offices like ſo many temporall Lords: *An aſſiſa de nocumento*: for the great nuſances they have lately done to our Religion, Church, State, Miniſters, and people? *A writt of Aſſociation*, to ranke Miniſters and temporall Lords in æquipage with them, over whom they now ſo much Lord it, like Lords paramount over all other people. * *An Attachment on a prohibition: That Lay-men ſhall not be cited before them to take any oath, or make any recognition, unleſſe in matters of Teſtament and Marriage uſuall in former ages, and neceſſary now: An Attachment againſt them for refuſing to admit prohibitions in caſes whereby Law they lie*, and ſtopping the current of this write: *An Audita Querela*, to heare the Miniſters and peoples ſeverall complaints againſt them: *An Acquietando de Servitijs*, to free the Miniſters and people from their late impoſed Ceremonies, ſervices, & vaſſaladge: *A Cautione admittenda*, to make people more warie of them, and to procure abſolutions for their vniuſt Cenſures: *A Cercierari*, to remoove them from their temporall offices and imployments, and have ſpirituall and temporall cauſes out of their unlawfull Conſiſtories and viſitations (kept in their owne name without Patent or Commiſſion from his Majeſtie into the Kings owne temporall Courts: *A Ceſſavit de cantaria & Servitijs, per biennium*; for not preaching in their Diocœſe to their people by two yeares ſpace and more (the caſe of divers of them.) *De Clerico admittendo*, to inforce them to admite our ſuſpended, ſilenced Miniſters to preach againe freely, as in former times: *De Clerico infra ſacros ordines conſtituto non eligendo in officium*; to hinder them from being choſen, and being thruſt into temporall offices and affaires, incompitable with their functions:

*Regiſt. par. 2. f. 36. Raſ. Prohibition 5.

De

*De Cognitionibus admittendis*; to hinder them from medling with all causes and affaires of which they have no cognisance: *A writt of Collusion and deceipt*; for their hypocrisie and jugling, both with God, his Majestie, and his Subjects, and for seeming holy, pious, just, religious, yea Fathers and Pillars of our Church, our faith, and being nothing lesse: *An Action of the case*; for vexing, excommunicating, suspending and silencing Ministers and others against Law, and without iust cause: *An Action of accompt*; to call them to an accompt for all their extortions and usurpations, both upon the King and Subject: *An Action upon the Statutes against Ingrossers, Regraters, and Forestallers*; for forestalling all good Bookes against their Papall Antichristian Hierarchie, Iurisdiction, extortion, injustice, and other Episcopall vertues, both at the Presse and Porth, and ingrossing them all into their owne Hucksters hands, of purpose to enhaunse the prises of them, and deprive the Kings good Subjects benefite of them. *A writt of Conspiracie*; for conspiring together against the Kings Ecclesiasticall Prerogative, and the Subjects Liberties, and to set up new Ceremonies, innovations and taxes: *A Contra formam collationis*; for mis-using their jurisdiction and office, and mis-imploying their temporallities and revenues (which should be spent in releeving the poore) upon their children, kindred, purchase of greater dignities and preferments, or maintenance of their owne pompe, pride, state, luxury, venery, and lust. *A copia libelli deliberanda*; to enioyne them to give coppies of Libells and Articles to his Majesties Subjects, before they force them to sweare or answer to them. *A Curia clandenda*; to cause them to shut up their Consistories, visitations, and Ecclesiasticall Courts, till they have a Patent from his Majestie to keepe them in his name and right alone, and grace to use them better, and to better purposes then hetherto they have done. *A Quo warranto*: to question them by what authority they keepe their Consistories, Visitations, and make out proces, private Articles, impose new oathes, Ceremonies, and Iurisdictions in their owne names upon his Majesties Subjects. *De custode Amovendo & alio admittendo*; to remoove them from their Bishopprickes, and put better and other kinde of men in their places. *An Ejectione custodiæ*, for suspending and ejecting Ministers from their Churches and Cures: *An Errore corrigendo*; to cause them to amend their manifold errors, both in life, doctrine, practise and proceedings. *An essendo quietum de Tholonia*; to exempt Mini-

...ers and people from their intollerable exactions, extortions, and new impoſed Fees and Contributions, both in their viſitations and Conſiſtories. *An Excommunicato deliberando:* To cauſe them to abſolve and free all thoſe Miniſters and people they have moſt unjuſtly excommunicated. *An Executione judicij*; To gett ſome judgements in Starre-chamber and other his Majeſties temporall Courts executed againſt them, and their moſt unjuſt proceedings. *Ex gravi querela*; To heare the grievous complaints, both of Miniſters and people, againſt their tyranny, Lordlynes, pride, oppreſſion, impietie, and other vices, their Altars, Crucifixes, Popiſh Ceremonies, *Ex officio*, and viſitations Oathes, Articles, proceedings and late dangerous Innovations. *A writt of falſe judgement*; For their wrong late unjuſt Cenſures, Excommunications, Suſpencions, Sentences, and determinations, both in their Conſiſtories, Viſitations, and high Commiſſion, and reſolving their Epiſcopall Lordlynes and Iuriſdiction to be *Iure Divino*; contrary to the expreſſe Acts of 25.H.8. c.19. 21. 26.H.8.c.1. 31.H.8. c. 9.10. 37.H.8. c.17. 1.Ed.6. c.2. 1.Eliz. c.1. 8.Eliz. c.1. and other Statutes, as 1. and 2. Phil. and Mary c. 8. reſolving the contrary. *De fine Adnullando*; To anull their ſeverall fines illegally impoſed upon his Majeſties Subjects in their High Commiſſions, and lately in their Conſiſtories and Viſitations, where they have gotten a tricke to fine Church-wardens and others, contrary to Law, as is reſolved *Fitzh Nat. Brevium fol.* 50. P.51. K.52. ff.53. A.14. H.4. 88. A.20. E.4.10. B.22. E.4.20.12. H.7.22.23. Artic. cliri. c.4. Cooke 4. Report to 6. 22. Aſſ.70. *A fieri facies Epiſcopa*; To cauſe them diligently to preach, and follow their ſpirituall Miniſteriall functions. *An habeas corpora & homine Replegianda*; To free the Subjects wrongfully impriſoned by them and their Purſevants. *An habere facias ſeſeinam & poſſeſſionem*; To reſtore good ſilenced, deprived, and ſuſpended Miniſters againe, to the ſeiſine and poſſeſſion of their livings and lectures, and the exerciſe of their Miniſtry. *An habere facias viſum*; To cauſe them to ſhew men their Articles in their Courts and high Commiſſions, before they put them to anſwer, or take an oath. *An Idemptitate nominis*; To reſtore Miniſters to their ancient ſtile and titles of Biſhops, which they have ingroſſed to themſelves, though the Scripture gives onely to Miniſters and Preſbyters, Acts 20.17.28.

Phil.

Phil. 1. 1. 1. Timot. 3. 1. 2. 3. Tit. 1. 5. 7. 1. Pet. 5. 1. 2. 3. and knoweth *no other Biſhops, but them alone of Divine inſtitution. De intruſione in hereditatem*; To ſhew by what Divine title they have intruded themſelves into the Church, Chriſts owne inheritance, into temporall Offices, imployments, and State affaires, and into thoſe great Lordſhips and honors they now poſſeſſe. *Ad Inquirendo de damnis*; To inquire what great hurt and damages they have done to their ſeverall Diocceſe, his Majeſties Prerogative, his peoples Liberties and eſtates, the Miniſters and Preachers of Gods word, our Religion and to the whole ſtate of Englaud. *An Inquirendo de vaſto*; To inquire of the great waſte and havocke they have made of late amongſt the Miniſters and Preachers of Gods word, and the purity of his Ordinances, and thereupon to render treble dammages *A Leproſo amovendo*; To remoove theſe Leopards out of our Church, before they have ſo farr infected it with the leven and leproſy of Rome, that ſhe become incurable, and to remoove them farr from his Majeſties Court, no place for Lepers. *A libertate*; To free both Miniſters and people from their late encrochments, viſitations, Articles, Oathes, Altars, Bowings, Ceremonies, and unjuſt Cenſures, and proceedings. *A libertatibus allocandis*; To enforce them to allow and no wayes to encroach upon the Subjects Liberties. *A mandamus*; To commaund them to give over Lording and Loyetering, and ſett themſelves to frequent and diligent preaching. *A melius inquirendo*; To inquire better of their pretended *Ius Divinum*, their oppreſſions, exorbitances, lives, proceedings, and underhand juglings, and to certify them into the Starre-chamber, or ſome other Court of Record. *An Action upon the Statute of Monopolies*; For engroſſing all temporall and Eccleſiaſticall Iuriſdiction, the ſale of Letters of order, lycenſes to marry, preach, keepe ſchoole, &c. (all groſſe Symony into their owne hands.) *A ne admittas*; To prohibite them to admit any Altars, Images, Crucifixes, Taxers, new Articles, Ceremonies, Doctrines, or innovations into our Church. *A ne injuſte vexes*; To reſtraine them from all unjuſt vexations, ſuſpentions, excommunications, and proceedings againſt Miniſters and others. *A writt of nuſans*; To remoove their late nuſances, Altars, Crucifixes, new Oathes, Articles, Innovations, Rayles, Ceremonies, Arminian and Popiſh Doctrines, out of our Church.

*A non*

*A non distringas ad respondendum, sive breve Regis:* To force them to summon all their visitations by the Kings writt, as they ought, 25. H. 8. c. 19. And to make out all proces, Citations, Commission of Administration, Probat of wills &c. in the Kings name and stile alone, and under his Seale, according to 1. Ed. 6. c. 2. 1. Eliz. c. 1. *A non molestando*; to hinder them from molesting good Ministers, Preachers, people, and other his Majesties Subjects without just cause. *A moderata misericordia*; to moderate their illegall and excessive fines, and teach these holy Fathers more mercy: *A writt of false imprisonment*; for pursevanting and imprisoning men against Law, which they have no power at all to doe: *A writt de odia & atia*; to examine their malicious unjust accusations, imprisonments, and proceedings of and against his Majesties Subjects. *A parco fracto*; for breaking the pales and hedges, both of the Lawes of God and the Realme, and ruling onely by their meere lusts and wills. *A perambulatione facienda:* to bound out the true limites of their Ecclesiasticall and Episcopall Iurisdiction, Courts, and power, and to cause them to give those prisoners they have a long time shut vp; and the common Law and course of Prohibitions, which they have pent up of late, to walke freely abroad. *A ponendo in Ballyam*; to enforce them to dischardge and bayle those they have unjustly imprisoned. *A præcipe in capite*; to render to God and the King those their severall rights, Iurisdictions, and prerogatives, they have a long time unjustly detayned from them as their owne. *A Prohibition:* to hinder all their Innovations, Oathes, Visitations, Articles, extravagant proceedings, fines, imprisonments, extortions, excommunications, suspentions, encroachments on the Common Law and the like. *A Pro rata portione*; to give them onely that power and authority, and such competent maintenance as Gods Lawes allowes them, and no more. *A Quale jus:* to examine their Divine title of their Bishopprickes, what right it is? *A Quare impedit*; to force them to shew good cause, why they hinder Ministers from preaching to their people, and prohibit those to heare Sermons abroad, who have none at home. *A Quare incumbravit*; to shew cause why they have lately incombred our Churches, Ministers, people, with so many innovations, Alterations, Injunctions, Articles, Oathes, Fees, Taxes, Rayles, Ceremonies,

Ceremonies, Erronious, and licentious Bookes, and false doctrines, and to censure them severely for doeing it. *A Quare non admisit:* to shew cause why they permit not Ministers to preach on Lords dayes after noone, on lecture dayes, and other occasions, or so often as heretofore, and why they refuse to admit those into the ministry, or to livings, who will not subscribe to their new Innovations, and those Articles they secretly tender to them under hand. *A Quod permittat:* To permit the Lords table to stand quietly in the midst of the Church or Chauncell, without being rayled in and remooved Altar-wise against the wall, and to suffer Ministers to preach, and people to heare and receive the Sacrament, in such manner as they have formerly used. *A Querela coram Rege, & consilio discutiendo & terminando*; to bring all these *Quares* and the complaints of the Subjects against the Bishops, and their Officers, before the King and his Counsell, to be there heard and determined by them. *A Quo Iure:* To examine by what Law they have turned Communion Tables into Altars, set up Crucifixes, silenced our Ministers, put downe Lectures, and preaching, made and printed new Oathes, Articles and Injunctions in their owne names &c. and by what Law, and in what Court they may be punished for them. *A Restitutione abstracti ab Ecclesia:* To restore our silenced Ministers and Preachers to their Churches. *A salva conductus*; to suffer his Majesties Subjects to goe peaceably and safely about their busines, and Ministers without danger of their Pursevants and Catch-poles. *A Securitate pacis*; to bind them to the peace and good behaviour, that they may no longer disturbe the peace, both of our Church, State, and people. *A supersedeas*; to stay all their Innovations, and proceedings in their Consistories and visitations, till they have a Patent and Commission under the Kings great Seale, to keepe them in his name and right alone. *A writt of trespasse* against them, and their Pursevants, for rifling and breaking vp mens Howses, Closets, Trunckes, Chests, and carrying away their Bookes and Papers violently, against Law and Iustice, as if they were Felons and Traytors. *An Action upon the Statute of vagarant Rogues and Vagabonds*; for wandering abroad from their owne callings Ecclesiasticall, Imployments, and Diocœse, into temporall carnall worldly State affaires, and following the Court like a company of flattering fawning Beggers, hunting

after greater preferments and revenues, and being ſeldome reſident at their Cures. *A writt of ventre inſpiciendo*; To inquire after and inſpect, how many great Bellyes their Lordſhips with their Officers, and ſervants have impregnated of late yeares, and to take the full meaſure of their Lordſhips pampered bellyes, which they onely feed and take care of; which muſt needs be monſtrous great, when as their very tayles are ſo vaſte, as to require an whole Cathedrall Church to make a ſeat for them; *Pauls* it ſelf, being litle enough to make a Lord Prelates Chayre; and two or three ſheires ſcarce able to make up one Dioccœſe, or Pariſh bigge enough for his overſight. *A vi laica removenda*; To remoove all lay force and violence out of the Church, and take away the temporall power of fining, impriſoning, purſevating, breaking open mens houſes, &c. from their Lordſhips, with all other lay power and Iuriſdiction now crept into the Church. *And A fieri facias*; For their Lordſhips to ſhew cauſe, why they with their oppreſſing Arch-Deacons, Commiſſaries, Regiſters, and other Officers, ſhould not forthwith be indicted and convicted in a Premunire (and that *Ex officio* by his Majeſties Atourney generall and his Iudges) or deepely fined in Starre-chamber, for all their ſeverall miſdemeners ſpecified in the premiſes.

## XIV.

Whether thoſe bloudy Prelates, who out of their deſperate malice to our Saviour (to evacuate the uſe of this his laſt Supper, inſtituted purpoſely by himſelf to ſhew forth his death till he come, 1. Cor. 11. 25. 26. Coll. 3. 1. (which now theſe Crucifixes muſt doe as if this Sacrament were not ſufficient to doe it, no not when it is adminiſtred, unleſſe there be a Crucifixe then ſtanding on or over the Altar) and to reduce us backe againe to Rome) now crucify him dayly in their new erected Croſſes and Crucifixes, both in Cathedralls, private Chapples, and elſewhere, and that in the direct oppoſition to the 35. *Article of our Church, and the Homilie of the perill of Idolatry*; which they have preſcribed oft times too; (expreſly *prohibiting the very making and ſetting up of Crucifixes, and other Images in Churches, or Chappells,*

as

*as unlawfull and Idolatrous*: Yea to his Majesties *Declarations prohibiting all Innovations and backesliding unto Popery in the least degree:)* To be guilty of perjury to God, and disobedience to his Majestie in the highest degree, and to be deprived of their Bishopprickes for it, by the Statute of 13. Eliz. c. 12. confirming the sayd Articles of Religion and Homilies? And whether their Cathedralls, Chappells and Churches, wherein they have sett up such Crosses to crucify their Saviour owne (whose holy, paynefull, dayly, preaching life, they have never before their eyes; and therefore represent his death in these dumbe Pictures, because they are growne so lazy, that they seldome or never preach it) be not *ipso facto* forfeited to the King by the Statute of 13. *E.* 1. *c.* 33. *against setting up of Crosses and Crucifixes*, and their very Bishopprickes too; which they better deserve to loose for this their open insolent erecting of Crucifixes, Altars, Tapers, and other Romish superstitions to usher in Popery, then any Godly Ministers to be deprived of their livings for not wearing of a Surpluse, or not bowing at the Name of Iesus, or not kneeling at the Sacrament, or not yeelding to any other late Innovations, for which their Lordships against all Law and conscience have deprived, and suspended so many of their Godly Brethren, more worthy a Bishoppricke, and farr more innoxious, pious, obedient to his Majesties and Gods Lawes, then themselves?

## XV.

Whether the Prelates, for disguising themselves with strange vestments, disguises vizors, and playe like apparell, as Rochetts, Copes, Stoles, Abbies, and other massing trincketts to difference themselves from all other men, and daunceing, cringing and playeing the Mummers, with divers new antique gestures, piping Organs and Minstrelsy, before their new erected Altars, hopping, limping and dauncing before them like the ancient Pagan Priests about their Idolatrous Altars, or like Mummers about a cobloase, and putting on a meere vizor of piety & gravity on their faces, when as they have neither of them nor any other true Christian graces in their hearts; and under these disguises

*doeing greater hurt and miſchiefes, both in Church and State, be not finable, and to be impriſoned for the ſpace of three monethes without bayle or mayneprize; for every time they ſhall be thus maſked and diſguiſed,* by the expres words of 3. H. 8. c. 9. intituled: *An Act againſt Mummers and Delinquents* within that Law: And whether the beſt uſe theſe Lord Biſhops, thus diſguiſed in their Pontificallibus, can be put unto, be not to make Skarrecrowes in ſome Cornefeild or other, or to ſtand in the Church-porch to keepe out Dogges, from their holy conſecrated Temples, which would be ſo affrighted with their mumming veſtments and diſguiſes, that they never durſt come neare the Corne or Church, for feare of theſe terrible Lordly Bugbears and Skarrecrowes.

## XVI.

*Whether by the Statutes of* 25. *Ed.* 1. *c.* 4. *and* 34. *Ed.* 1. *c.* 5. *every Arch-Biſhop and Biſhop of England, ought not perſonally to read the Statutes of* Magna Carta, *and of the Forest, with King Edward the firſt his Confirmations of them, in their ſeverall Cathedrall Churches twice every yeare, and upon the reading thereof, openly to denounce, excommunicated, burned, and accurſed, all thoſe that willingly doe or procure to be done any thing contrary to the tenour, force and effect of them, or either of them, by word, deed, or counſell: Whether they ought to be deſtrayned, ſuſpended and excommunicated for not doeing of it,* with farr greater juſtice and reaſon, then themſelves ſuſpend and ſilence Miniſters, for not reading their Lordſhips *Declaration for Sports on the Lords day* (coulored over with his Majeſties Name, to diſhonor his Highnes, and excuſe themſelves) theſe two Statutes enjoyning them, the one in expreſſe termes, and inflicting theſe Penalties on them for neglecting it, but no Law, Precept or Canon preſcribing Miniſters the other, nor yet that Booke it ſelf? Whether their Lordſhips both by word, deed and counſell infringing *Magna Carta*, theſe Statutes ſundry wayes, eſpecially by their impriſoning, fining, excommunicating, ſuſpending and depriving men againſt Law, and by their new invented Taxes, and Talleges, to pill and poll the Subjects, and in procuring Iudges and others by menaces, flatery, or ill counſell, to deny Prohibitions, and *habeas corpore*,

to

to doe many things againſt the tenour and effect of theſe good Lawes, now miſerably every-where trampled vnder feet, be not *ipſo facto* excommunicated by divers ancient excommunications, fulminated againſt ſuch deſperate infringers and tranſgreſſors of thoſe Acts in a moſt direfull manner by their Predeceſſors, and by the tenour of theſe Statutes themſelves, and ſo altogether *Irreguler*, and to be ſhut out of all Churches, his Majeſties Court and Chapple, all Chriſtian mens ſocietie, and ſequeſtred both from their Office and Benefice, till they have done publicke penance, and given ſufficient ſatisfaction to the whole Realme of England, for their enormious dayly multiplyed crimes, under which both Church and Kingdome groane and languiſh at this preſent.

*FINIS.*